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Ultimate Fighting Championship and UFC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Cung Le, Nathan Quarry, Jon Fitch, Brandon  
Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

Defendant

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF NICHOLAS A.  
WIDNELL IN SUPPORT OF  
DEFENDANT ZUFFA, LLC'S  
MOTION TO SEAL ZUFFA'S  
MOTIONS TO EXCLUDE THE  
TESTIMONY OF DR. HAL J.  
SINGER, DR. ANDREW ZIMBALIST,  
AND GUY A. DAVIS UNDER FED. R.  
EVID. 702 AND DAUBERT AND  
RELATED MATERIALS**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am  
3 admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm Boies Schiller  
4 Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above captioned action in the U.S.  
5 District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-PAL.

6 2. I make this declaration in support of Zuffa’s Motion to Seal Defendant Zuffa’s  
7 Motions to Exclude the Testimony of Dr. Hal J. Singer, Dr. Andrew Zimbalist, and Guy A. Davis  
8 under Fed. R. Evid. 702 and *Daubert* and Related Materials (“Motion to Seal”). Based on my  
9 review of the files, records, and communications in this case, I have personal knowledge of the facts  
10 set forth in this Declaration and, if called to testify, could and would testify competently to those  
11 facts under oath.

12 3. Certain portions of expert deposition testimony and expert reports that Zuffa seeks to  
13 file under seal contain highly confidential third-party financial information that has been designated  
14 highly confidential under the Revised Stipulation and Protective Order. ECF No. 217.

15 4. In addition, certain portions of expert deposition testimony and expert reports that  
16 Zuffa seeks to file under seal contain commercially sensitive terms, trade secrets, business strategies  
17 and specific financial information regarding Zuffa’s contracts with athletes, including payment  
18 terms.

19 5. Certain portions of documents and deposition testimony that Zuffa seeks to file under  
20 seal also contain the highly-sensitive information specified in paragraphs 3 and 4 above.

21 6. With respect to Zuffa’s confidential, commercially sensitive, and trade secret  
22 information referenced above, it is my understanding that Zuffa treats its agreements with athletes, as  
23 well as payments made as a result of those agreements, as confidential trade secret information.  
24 Disclosure of this information and business intelligence, which includes specific contractual terms,  
25 financial payments, benefits, and obligations negotiated with athletes and other business partners,  
26 could provide competitors with unfair and damaging insights into Zuffa’s business practices,  
27 including providing those competitors with unearned competitive advantages.  
28

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing facts are true and correct. Executed this 16th day of February, 2018 in Washington, D.C.

3  
4 /s/ Nicholas A. Widnell

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